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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/417,201	10/11/1999	BRETT EDWARD JOHNSON	10982213	7100

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FORT COLLINS, CO 80527-2400

EXAMINER

ANYA, CHARLES E

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 03/11/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/417,201

Applicant(s)

JOHNSON ET AL.

Examiner

Charles E Anya

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 December 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 7-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of: _____
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 – 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's admitted prior art (Hereinafter referred to as APA page 1 –13) in view of U.S. Pat. No. 6,314,470 B1.

As to claim 1, APA teaches a Method of intercepting an event (page 1, ln. 13 – 24), generating an event by an application program interface (Intercept Library 54, page 10, ln. 16 – 23, page 11, ln. 1 - 6), transmitting the event to an intercept logic if event interception is enabled (page 12, ln. 3 –10) and determining if the event is to be processed by the intercept logic and processing the event (page 11, ln. 11 – 23).

APA does not teach a generic interception communication interface.

Ward teaches a generic interception communication interface (Graphics Library API 108, Col. 7, ln. 9 – 24, Hooks Module 118, Col. 8, ln. 20 – 67, Col. 9, ln. 1 - 33). It would have been obvious to apply the teaching of Ward to the system of APA. One would have been motivated to make such a modification to provide hardware and software independent interface (Col. 7, ln. 9 – 24).

As to claim 2, APA teaches a Plurality of Events (“...generates events...” page 12, ln. 11 – 12).

As to claim 3, APA teaches finding the event to be processed in the plurality of events to be intercepted (Intercept Module 56, page 12, ln. 14 – 23).

As to claim 4, APA teaches events as being selected from a group consisting of function calls and operating calls (page 10, ln. 16 – 23).

As to claim 5, APA teaches sending a message enabling the application program interface processing of the event if the intercept logic cannot process the event (page 12, ln. 11 – 14).

As to claim 7, see the rejection of claims 1.

As to claim 8, see the rejection of claim 2.

As to claim 9, see the rejection of claim 3.

As to claim 10, see the rejection of claim 4.

As to claim 11, see the rejection of claim 5.

As to claim 12, see the rejection of claim 1.

As to claim 13, see the rejection of claims 1.

As to claim 14, see the rejection of claim 2.

As to claim 15, see the rejection of claim 3.

As to claim 16, see the rejection of claim 4.

As to claim 17, see the rejection of claim 5.

As to claim 18, see the rejection of claim 1.

As to claim 19, see the rejection of claims 1 and 2.

As to claim 20, see the rejection of claim 2 and 3.

Response to Arguments

1. Applicant's arguments filed 12/26/02 have been fully considered but they are not persuasive.

In accordance with MPEP 706.02(k), Effective November 29, 1999, subject matter which was prior art under former 35 U.S.C. 103 via 35 U.S.C. 102(e) is now disqualified as prior art against the claimed invention if that subject matter and the claimed invention "were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person." This change to 35 U.S.C. 103(c) applies to all utility, design and plant patent applications filed on or after November 29, 1999, including continuing applications filed under 37 CFR 1.53(b), continued prosecution applications filed under 37 CFR 1.53(d), and reissues. The amendment to 35 U.S.C. 103(c) does not affect any application filed before November 29, 1999, a request for examination under 37 CFR 1.129 of such an application, nor a request for continued examination under 37 CFR 1.114 of such an application.

The November 29, 1999 date mentioned above refers to Applicant's filing date and in this case the filing date is October 11, 1999, as a result the prior art reference used is appropriate.

2. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

The new rejection meets all the amended limitations.

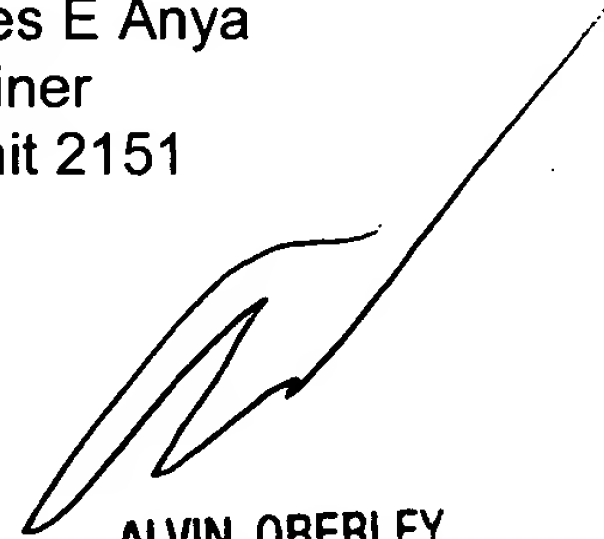
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E Anya whose telephone number is (703) 305-3411. The examiner can normally be reached on M – F (First Friday Off) from 8:30 am to 5:30 pm.

The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Charles E Anya
Examiner
Art Unit 2151



ALVIN OBERLEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100